



PATENT
Docket No. 703451-2001

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Assignee: ConAgra Grocery Products
Company

Inventors: Constantine Sandu

App. No: 10/717,115

Filed: November 19, 2003

Title: MAGNETIC ALIGNMENT
SYSTEM FOR SCRAPED-SURFACE
HEAT EXCHANGER

Group Art Unit: Not Yet Assigned

Examiner: Not yet Assigned

**CERTIFICATE OF MAILING
UNDER 37 CFR 1.8**

Date of Deposit: December 30, 2003

I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated above and is addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450.


Karen Wuerfel

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22323-1450

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached form PTO/SB/08A are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The Examiner is requested to make this document of record.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.

Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-2518 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).1).

This Information Disclosure Statement is filed:

After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. [] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in

37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

- Copies of the items listed on the attached form PTO/SB/08B are enclosed.
- Copies of only the following items listed on the attached Form PTO/SB/08A are enclosed:

JP 353025062A;
RUS 247071; and
Publication No. WO 03/021179 A1
- Copies of those items which are marked with an asterisk (**) in the attached Form PTO/SB/08A were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- A concise explanation of relevance of the item listed on form PTO/SB/08A is not given.
- A concise explanation of relevance of [some of] the items listed on Form PTO/SB/08A is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

IV. Related Applications:

- Applicants bring to the Office's attention the following related, co-pending application(s):

V. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08A with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No. 50-2518, billing reference number: 703451-2001 for any additional fees required in connection with the filing of this Supplemental Information Disclosure Statement.

Respectfully submitted,

BINGHAM MCCUTCHEN LLP

Dated: December 30, 2003

By: 

Gary D. Lueck
Registration No. 50,791

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Substitute for form 1449A/PTO

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USPTO
SEARCH & TRADEMARK OFFICE 9694INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/717,115
Filing Date	November 19, 2003
First Named Inventor	Constantine Sandu
Art Unit	Not Yet Assigned 1794
Examiner Name	Not Yet Assigned D Becker
Attorney Docket Number	703451-2001

Sheet

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of

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U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
1	US-261,234		07-18-1882	Jameson	
2	US-1,233,569		07-17-1917	Graemiger	
3	US-1,847,006		02-23-1932	Kalscher	
4	US-2,206,006		06-25-1940	Hendrey	
5	US-2,514,116		07-04-1950	Baker	
6	US-3,063,041		11-06-1962	Quade, et al.	
7	US-3,839,085		10-01-1974	Hulvey, et al.	
8	US-4,279,295		07-21-1981	Duckworth	
9	US-5,485,880		01-23-1996	Zeuthen	
10	US-5,593,378		01-14-1997	Dyck	
11	US-5,645,378		07-08-1997	Tokushima et al.	
12	US-5,755,106		05-26-1998	Ross	
13	US-6,220,047		04-24-2001	Vogel et al.	
14	US-6,438,987		08-27-2002	Pahl	
15	US-6,467,944		10-22-2002	Ugolini	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
1		JP 353025062A	03-08-1978	Hitachi Ltd.		
2		RUS 247071	04-20-1969	All Union Scientific Research Institute of Electric Welding Equipment		

OTHER - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published
1		International Application No. US02/27823 (Publication No. WO 03/021179 A1); Published 03-13-2003; ConAgra Grocery Products Company; C. Sandu et al.

Examiner Signature	/Drew Becker/	Date Considered	05/19/2008
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.B./